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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,656	08/17/2001	Edgar Michael Fitzsimons	4301-4000	4563
27123	7590	10/31/2006	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			LUDWIG, MATTHEW J	
			ART UNIT	PAPER NUMBER
			2178	

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/932,656	Applicant(s) FITZSIMONS ET AL.	
	Examiner Matthew J. Ludwig	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-104 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21-104 is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the RCE filed 9/5/2006.
2. Claims 1-104 are pending in the application. Claims 1, 6, 11, 16, 21, 28, 35, 42, 49, and 56, are independent claims.
3. Claims 1, 6, 11, 16, 21, 28, 35, 42, 49, 56, 63, 70, 77, 84, 91, and 98, rejected under 35 U.S.C. 103(a) as being unpatentable over Alam have been withdrawn pursuant to applicant's amendment.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-4, 6-9, 11-14, and 16-19, are rejected under 35 U.S.C. 103(a) as being unpatentable over Birder, USPN 7,120,869, filed (8/16/2001).**

In reference to independent claim 1, Birder teaches:

The user may view the tree representations and the pattern dictionaries to further analyze the source and target documents. Overall, the user may refine the transformation document in any way to achieve improved/desired results (compare to “*creating a target document in a desired output format for a desired output device*”). See column 14, lines 1-14.

If a synonym pattern is found in the synonym dictionary for the particular pattern, then the TDGM proceeds to determine whether there is a matching pattern in the source document

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that literally matches the synonym pattern. If so, then the TDGM automatically generates a template in the transformation document. This template will cause the particular pattern to be created in a result document. Because a matching pattern is found in the source document for the synonym of the particular pattern in the target document, the triggering pattern for the template is specified to be the matching pattern found in the source document (compare to “*creating page elements in the target document that correspond to page elements from a source document*”).

The copy templates copy identical elements (elements having the same structural format and the same data values), if any, from the source document to the result document (compare to “*extracting information from the page elements from the source document and populating the target’s page elements with the extracted information*”). See column 3, lines 50-67.

The reference discloses a synonym dictionary accessed by the TDGM and based on the target document, however, the reference fails to explicitly state a transformation table. It would have been obvious to one of ordinary skill in the art at the time the invention was made, having the well-known transformation and synonym dictionary methods of Birder, to have modified the reference and included the synonyms in a table for automatically generating templates in a source/target document.

In reference to dependent claim 2 and 3, Birder teaches:

The TDGM generates the pattern creation templates by scanning through the pattern dictionary of the target document, and creating a template for each pattern found in the pattern dictionary. See column 9, lines 50-67.

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In reference to dependent claim 4 and 5, Birder teaches:

If any identical element is found, then a copy template is generated in the transformation document for that element. When the TP processes the transformation document in conjunction with a source document, this copy template will cause the TP to copy the element from the source document to the result document (compare to “*saving a composite document including a formatting document, page elements, and information*”). See column 12, lines 10-28.

In reference to claims 6-10, 11-15, and 16-20, the claims reflect similar limitations to those recited in claims 1-4, therefore, the claims are rejected under similar rationale.

Response to Arguments

6. Applicant's arguments with respect to claims 1, 6, 11, 16, 21, 28, 35, 42, 49, 56, 63, 70, 77, 84, 91, and 98, have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

7. Claims 21-104 are allowed.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-4127.

The examiner can normally be reached on 9:00am-6:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ML



STEPHEN HONG
SUPERVISORY PATENT EXAMINER